

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
FEB 1 2018
CLERK, U.S. DISTRICT COURT
By _____ Deputy *N*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

VERRAGIO, LTD.,

Plaintiff,

v.

VALERIA FINE JEWELRY,

Defendant.

Civil Action No. 3:17-cv-02662-G

DEFENDANT'S ANSWER TO PLAINTIFF'S COMPLAINT

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW Valeria Fine Jewelry (hereinafter referred to as "Defendant" or "Valeria"), Defendant in the above-entitled and numbered action, and for its Answer to Plaintiff's Complaint would respectfully show unto the Court as follows:

Subject Matter Jurisdiction and Venue

1. Valeria admits the allegations of material fact contained in Paragraph 1 of the Complaint.
2. For answer to Paragraph 2, Valeria does not dispute that the Northern District of Texas has jurisdiction over this lawsuit based upon the allegations in this case. Defendant denies that "the infringing products" were distributed or offered for distribution in the Northern District of Texas.

Parties and Personal Jurisdiction

3. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 3 of the Complaint.
4. Valeria admits the allegations of material fact contained in Paragraph 4 of the Complaint.
5. Valeria admits the allegations of material fact contained in Paragraph 5 of the Complaint.

The Business of Verragio

6. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 6 of the Complaint.
7. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 7 of the Complaint.
8. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 8 of the Complaint.
9. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 9 of the Complaint.
10. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 10 of the Complaint.
11. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 11 of the Complaint.
12. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 12 of the Complaint.
13. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 13 of the Complaint.
14. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 14 of the Complaint.
15. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 15 of the Complaint.
16. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 16 of the Complaint.

17. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 17 of the Complaint.
18. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 18 of the Complaint.
19. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 19 of the Complaint.
20. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 20 of the Complaint.
21. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 21 of the Complaint.
22. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 22 of the Complaint.
23. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 23 of the Complaint.
24. Valeria is without knowledge or information sufficient to enable it to admit or deny the allegations of material fact contained in paragraph 24 of the Complaint.
25. Valeria admits the allegations of material fact contained in paragraph 25 of the Complaint.

The Business of Defendant

26. Valeria denies the allegations contained in paragraph 26 of the Complaint.
27. Valeria denies the allegations contained in paragraph 27 of the Complaint.
28. Valeria denies the allegations contained in paragraph 28 of the Complaint.
29. Valeria admits the allegations contained in paragraph 29 of the Complaint.

30. Valeria admits the allegations contained in paragraph 30 of the Complaint.
31. Valeria admits the allegations contained in paragraph 31 of the Complaint.
32. Valeria denies the allegations contained in paragraph 32 of the Complaint.
33. Valeria denies the allegations contained in paragraph 33 of the Complaint.
34. Valeria denies the allegations contained in paragraph 34 of the Complaint.
35. Valeria denies the allegations contained in paragraph 35 of the Complaint.
36. Valeria denies the allegations contained in paragraph 36 of the Complaint.
37. Valeria denies the allegations contained in paragraph 37 of the Complaint.
38. Valeria denies the allegations contained in paragraph 38 of the Complaint.

First Cause of Action

39. Valeria denies the allegations contained in paragraph 39 of the Complaint.
40. Valeria denies the allegations contained in paragraph 40 of the Complaint.
41. Valeria denies the allegations contained in paragraph 41 of the Complaint.
42. Valeria denies the allegations contained in paragraph 42 of the Complaint.
43. Valeria denies the allegations contained in paragraph 43 of the Complaint.

Second Cause of Action

44. Valeria denies the allegations contained in paragraph 44 of the Complaint.
45. Valeria denies the allegations contained in paragraph 45 of the Complaint.
46. Valeria denies the allegations contained in paragraph 46 of the Complaint.
47. Valeria denies the allegations contained in paragraph 47 of the Complaint.
48. Valeria denies the allegations contained in paragraph 48 of the Complaint.
49. Valeria denies the allegations contained in paragraph 49 of the Complaint.
50. Valeria denies the allegations contained in paragraph 50 of the Complaint.

51. Valeria denies the allegations contained in paragraph 51 of the Complaint.

52. Valeria denies the allegations contained in paragraph 52 of the Complaint.

53. Valeria denies the allegations contained in paragraph 53 of the Complaint.

Third Cause of Action

54. Valeria denies the allegations contained in paragraph 54 of the Complaint.

55. Valeria denies the allegations contained in paragraph 55 of the Complaint.

56. Valeria denies the allegations contained in paragraph 56 of the Complaint.

57. Valeria denies the allegations contained in paragraph 57 of the Complaint.

58. Valeria denies the allegations contained in paragraph 58 of the Complaint.

59. Valeria denies the allegations contained in paragraph 59 of the Complaint.

60. Valeria denies the allegations contained in paragraph 60 of the Complaint.

61. Valeria denies the allegations contained in paragraph 61 of the Complaint.

62. Valeria denies the allegations contained in paragraph 62 of the Complaint.

63. Valeria denies the allegations contained in paragraph 63 of the Complaint.

64. Valeria denies the allegations contained in paragraph 64 of the Complaint.

65. Valeria denies the allegations contained in paragraph 65 of the Complaint.

66. Valeria does not object to a jury trial on all viable issues.

67. Valeria denies that Plaintiff is entitled to any of the relief for which he seeks recovery.

68. To the extent not expressly admitted herein, Valeria denies each and every one of the allegations contained in the Complaint and denies that Plaintiff is entitled to any of the relief to which he prays.

Affirmative Defenses

69. Valeria denies that any of their acts constitute Copyright Infringement under 17 U.S.C. § 101 *et seq.*

70. Valeria denies that any of their acts constitute Trademark Infringement under 15 U.S.C. § 1114(1).

71. Valeria denies that any of their acts constitute Trademark Infringement and False Designation of Origin under 15 U.S.C. § 1125(a).

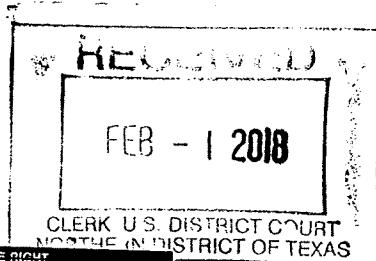
WHEREFORE, PREMISES CONSIDERED, Defendant prays that Plaintiff take nothing by this action and that Defendant be dismissed with its costs, and for such other relief, both general and specific, at law or in equity, to which Defendant may be justly entitled.

Respectfully Submitted,



Lucas Horton, Pro Se
Valeria Fine Jewelry
4834 Vicksburg St.
Dallas, TX 75207
Voice: (214) 909 3341

1202 Stratford
Richardson, TX 75081



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



7017 2680 0000 8520 6628

USDC Northern District of Texas
1100 Commerce St
Dallas, TX 75242



1000



75242

U.S. POSTAGE
PAID
RICHARDSON, TX
75080
JAN 30 18
AMOUNT
\$6.91
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